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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/726,535

12/04/2003

Eung Min Park

0630-1874P

5940

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05/03/2006

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EXAMINER

MORRISON, THOMAS A

ART UNIT

PAPER NUMBER

3653

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/726,535

Applicant(s)

PARK, EUNG MIN

Examiner

Thomas A. Morrison

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,5-7 and 10-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,5-7 and 10 is/are allowed.
- 6) ☒ Claim(s) 11 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's amendment dated 4/12/06 has been entered.
2. The indicated allowability of claims 11 and 12 is withdrawn in view of the newly discovered reference(s) to Imai et al. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,871,162 (Imai et al.) in view of European Publication No. GB 21327237.

Regarding claims 11 and 12, Figs. 1-5 of the Imai et al. patent show a media pick-up device of a media dispenser (Fig. 1), comprising:

a plurality of conveying rollers (8 and 8) rotated by a driving force of a driving means (column 2, lines 32-33), for conveying media;

first separating rollers (12 and 12 in Fig. 2) arranged with overlaps to the conveying rollers (8 and 8) to separate the media one by one; and

second separating rollers (20 and 20 in Fig. 2) arranged to face an outer surface of the conveying rollers (8 and 8).

Also, both the first and second separating rollers (12, 12, 20 and 20 in Fig. 2) are rotated in an opposite direction to the conveying rollers (8 and 8).

However, the Imai et al. patent does not specifically show gaps between the second separating rollers (20 and 20 in Fig. 2) and the conveying rollers (8 and 8), as claimed.

European Publication No. GB 2132737 discloses that it is well known to provide a media pick-up device of a media dispenser with conveying rollers (7a, 7b and 7c) arranged relative to separating rollers (17a and 17b) such that there are gaps between the separating rollers (17a and 17b) and the conveying rollers (7a, 7b and 7c). Also, page 2, lines 86-93 of European Publication No. GB 2132737 explain that it is advantageous to have such gaps to be just as wide as the thickness of one sheet. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide gaps between the second separating rollers (20 and 20) and the conveying rollers (8 and 8) of the apparatus of the Imai et al. patent, because it is advantageous to have a gap that is one sheet thick between such rollers, as taught by European Publication No. GB 2132737.

With regard to claim 11, page 2, lines 74-80 of European Publication No. GB 2132737 disclose that it is well known to provide a media pick-up device of a media dispenser with stationary separating rollers (17a and 17b) to prevent the taking out of two or more paper sheets. It would have been obvious to one of ordinary skill in the art

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at the time the invention was made to provide the Imai et al. apparatus with stationary separating rollers rather than rotated separating rollers, so that two or more sheets can be prevented from being taken out, without the need for any motor to rotate such separating rollers, as shown in European Publication No. GB 2132737.

Allowable Subject Matter

4. Claims 2, 5-7 and 10 are allowed.

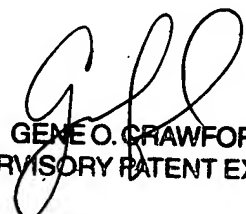
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

04/28/2006


GENE O. CRAWFORD
SUPERVISORY PATENT EXAMINER